

United States District Court

for

Middle District of Alabama

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Willii Barber

Case Number: 2:05CR273-1-MHT

Name of Sentencing Judicial Officer: Honorable Myron H. Thompson, U.S. District Judge

Date of Original Sentence: September 5, 1989 (SD/FL transferred on 8-5-05)

Original Offense: Possession of Firearm by Convicted Felon

Original Sentence: 180 months custody of BOP; followed by three years of supervised release
(Revoked on 8-19-03: 21 months custody of BOP; two years supervised release)

Type of Supervision: Supervised Release

Date Supervision Commenced: October 7, 2004

PETITIONING THE COURT

- ☐ To extend the term of supervision for __ years, for a total term of __ years.
☒ To modify the conditions of supervision as follows:

The defendant shall participate in the Home Confinement Program for a period of six (6) months to begin at a time designated by the probation officer. During this time, the defendant will remain at his place of residence except for employment and other activities approved in advance by the probation officer. The defendant will maintain a telephone at his residence, without a modem, "call forwarding", "Caller ID", "call waiting", or portable cordless telephones, for the above period. At the direction of the probation officer, the defendant shall wear an electronic monitoring device and follow electronic procedures specified by the probation officer. The defendant shall pay the cost of electronic monitoring as directed by the probation officer.

CAUSE

On March 14, 2005, Barber submitted to a drug screen which tested presumptive positive for cocaine. At the time of collection, Barber made no admission of his drug use and the specimen was sent to Scientific Testing Laboratories for verification. After receiving the test results Barber reported to the probation office and admitted to smoking a cigar that was laced with cocaine at party. This is Barber's third drug positive while he has been on supervision in the Middle District of Alabama. Barber has requested drug treatment and has an assessment has been scheduled at CAP for April 20, 2006. In addition to drug treatment and increased drug testing, Barber has agreed to the above modification to include six months home confinement. It is the probation officer's recommendation that Barber be placed on electronic monitoring to ensure he does not frequent place where drugs are used and to enable the probation officer to monitor his whereabouts.

Respectfully submitted,

by /s/ Kevin Poole

U.S. Probation Officer

Date: April 6, 2006

Reviewed and approved: /s/ Scott Wright
Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

/s/ Myron H. Thompson
Signature of Judicial Officer

April 11, 2006
Date